IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 6540 of 2004

Between:

Chintha Reddy Ramanuja Reedy S/o Venkat Reddy,
R/o Dharmapuram Village, Nadamanur Mandal, Nalgonda Dist

..... PETITIONER

AND

1 The District Collector (PR), Nalgonda Dist at Nalgonda
2 Government of A.P., rep. by Principal Secretary, Panchayat Raj and

Rural Development Dept., Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus, or any other appropriate writ declaring that the action of the 1st respondent contained in Proceedings No.1201/03-A1(Pts) dated 06/02/2004 suspending the petitioner from the Office of the Sarpanch, Dharmapuram Gram Panchayat, Nadamanur Mandal, Nalgonda District in exercise of Powers U/S 249(6) of the AP. Panchayat Raj Act, 1994 is arbitrary and illegal and consequently set aside the same and direct the respondents to forbear from interfering with the continuance of the petitioner as Sarpanch of the said Gram Panchayat except in accordance with law.

Counsel for Petitioner : Mr.VEDULA VENKATARAMANA (not present)

Counsel for Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admissioin, made the following :

ORDER:

None appeared for the petitioner.

This writ petition is filed by the petitioner questioning the proceedings of the first respondent dated 6.2.2004 in suspending the petitioner from the post of Sarpanch, Dharmapuram Gram Panchayat in exercise of powers under Section 249(6) of A.P. Panchayat Raj Act, 1994 for a period of three months with immediate effect.

Questioning the very same order of the first respondent dated 6.2.2004, petitioner filed W.P.No.3364 of 2004, which was disposed of by this Court on 25.2.2004 granting liberty to the petitioner to approach the authorities concerned by way of revision under Section 264 of the A.P. Panchayat Raj Act, 1994. The petitioner accordingly preferred revision before the revisional authority (second respondent herein) which was rejected by the revisional authority by its order dated 26.3.2004 observing that there is no appeal provision on the suspension made by the District Collector under Section 249(6) of A.P. Panchayat Raj Act, 1994. Therefore, the petitioner filed the present writ petition seeking to set aside the impugned order of the first respondent dated 6.2.2004.

In this writ petition, while ordering notice before admission, this Court directed the revisional authority to consider the revision filed by the petitioner dated 24.3.2004 and pass appropriate orders in accordance with law within a period of three weeks and the matter was directed to be posted on 29.3.2004.

The learned Government Pleader for Panchayat Raj, on instructions submit that the said revision is pending before the revisional authority and in the meanwhile suspension period has not been extended and the petitioner stands restored to the office Sarpanch after the expiry of three months.

In view of the same, no cause survives in the writ petition and the writ petition is accordingly dismissed. No costs.

_____

A.GOPAL REDDY, J

Date: 16.9.2004

DA

To

1 The District Collector (PR), Nalgonda Dist at Nalgonda.
2 The Principal Secretary, Government of A.P., Panchayat Raj and

Rural Development Dept., Secretariat, Hyderabad.

3 Two CCs to the G.P. for Panchayat Raj & Rural Development

Department, High Court Buildings, Hyderabad (OUT).

4 Two CD copies.